

**RPLY**

R. SCOTT RASMUSSEN, ESQ.

Nevada Bar No. 6100

HANSEN RASMUSSEN, LLC

1835 Village Center Circle

Las Vegas, Nevada 89134

Telephone: (702) 385-5533

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scottr@hrnvlaw.com*Attorney for Third-Party Defendant**RCR Plumbing and Mechanical, Inc.***DISTRICT COURT****CLARK COUNTY NEVADA**

HENRY BILLS, individually; THERESE  
(TINA) BOLTON, individually; KELLEN and  
PEARLA BRESCIA, individually; ANNETTE  
BRYANT, individually; CHIN CHAPPELLE,  
individually; JUDITH GORDON, individually;  
RUBINA PERSAUD, individually; ROLANDO  
C. and NATIVIDAD SILVERIO, individually;  
JAMES H. GAMBLE, individually; and the  
same on behalf of themselves and on behalf of  
others similarly situated, and ROES 1-600,  
inclusive,

Plaintiffs,

vs.

PLASTER DEVELOPMENT COMPANY,  
INC., a Nevada corporation; AMEN  
MASONRY; DESERT SHORE TILE INC.,  
TOTAL CONCRETE, LLC; DAVE'S  
DRYWALL, INC.; DUPONT RESIDENTIAL  
FLOORING SYSTEMS; KB FRAMERS, LLC;  
L&S AIR CONDITIONING HEATING &  
FIREPLACES, LLC; SACRAMENTO  
INSULATION CONTRACTORS dba GALE  
BUILDING PRODUCTS dba GALE  
INSULATION; K&K DOOR & TRIM, LLC;  
REYBURN LAWN & LANDSCAPE; RCR  
PLUMBING AND MECHANICAL, INC.; S&L  
ROOFING, INC.; SPEC CONSTRUCTION;  
DECK SYSTEMS ARIZONA CORP.;  
MILGARD MANUFACTURING  
INCORPORATED; TITAN STAIRS & TRIM,  
INC.; GYPSUM CONSTRUCTION, INC.;  
MERILLAT CORPORATION; and DOES 1  
through 500, inclusive,

Defendants.

**CASE NO.: A-13-681805-D****DEPT NO.: XVI**

**THIRD-PARTY DEFENDANT RCR  
PLUMBING AND MECHANICAL, INC.'S  
SUR-REPLY AND LIMITED OPPOSITION  
TO PLAINTIFFS' REPLY IN SUPPORT OF  
MOTION TO STRIKE PLASTER  
DEVELOPMENT'S ANSWER FOR  
FAILURE TO PROVIDE EXPERT  
REPORTS AND TO ENTER DEFAULT**

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PLASTER DEVELOPMENT COMPANY, )  
INC., a Nevada corporation, )

Third-Party Plaintiff, )

vs. )

AMEN MASONRY; TOTAL CONCRETE, )  
LLC; DAVE'S DRYWALL, INC.; KB )  
FRAMERS, LLC; L&S AIR CONDITIONING )  
HEATING & FIREPLACES, LLC; K&K DOOR )  
& TRIM, LLC; REYBURN LAWN & )  
LANDSCAPE DESIGNERS dba REYBURN )  
LAWN & LANDSCAPE;; RCR PLUMBING )  
AND MECHANICAL, INC.; S&L ROOFING, )  
INC.; SPEC CONSTRUCTION; DECK )  
SYSTEMS ARIZONA CORP.; MILGARD )  
MANUFACTURING INCORPORATED; )  
GYPSUM CONSTRUCTION, INC.; and MOE )  
CORPORATIONS 1 – 50; )

Third-Party Defendants. )

**THIRD-PARTY DEFENDANT RCR PLUMBING AND MECHANICAL, INC.'S  
SUR-REPLY AND LIMITED OPPOSITION TO PLAINTIFFS' REPLY IN  
SUPPORT OF MOTION TO STRIKE PLASTER DEVELOPMENT'S ANSWER  
FOR FAILURE TO PROVIDE EXPERT REPORTS AND TO ENTER DEFAULT**

COMES NOW, Third-Party Defendant, RCR PLUMBING AND MECHANICAL, INC.  
(hereinafter "RCR"), by and through its counsel, R. SCOTT RASMUSSEN, ESQ. of the law firm of  
HANSEN RASMUSSEN, LLC, and hereby submits a Sur-Reply and Limited Opposition to Plaintiffs'  
Reply in Support of its Motion to Strike Plaster Development's Answer for Failure to Provide Expert  
Reports and to Enter Default.

RCR does not oppose Plaintiffs' Motion to Strike Plaster Development's Answer for Failure to  
Provide Expert Reports and to Enter Default. However, on Page 7 Lines 23-24, Plaintiffs state the  
following:

"Nevertheless, it appears that the subcontractors' experts' reports were due on March 4, 2016  
and have not been deposited."

This statement is untrue. I have provided to this Court exhibits documenting the fact that RCR  
has in fact complied with the Case Management Order by submitting our Designation of Witness and

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 1835 Village Center Circle  
 Reno, NV 89515  
 Telephone: (702) 382-5333  
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Expert Report in a timely manner. Please find attached hereto Exhibit "A" which is Third-Party Defendant, RCR PLUMBING AND MECHANICAL, INC.'S First Notice of Compliance e-served on March 4, 2016 which includes the date stamp numbers of our expert job file documents and photographs of Jerry Lawrence and his Preliminary Expert Report. Please find attached hereto Exhibit "B" the E-Service details of filing report noting that the law firm of SHINNICK & RYAN NV P.C. for whatever reason did not open the document after being appropriately served. Please find attached hereto Exhibit "C" which is the Preliminary Assessment Report dated March 3, 2016 which was deposited to the depository on March 4, 2016. Please find attached hereto Exhibit "D" which is Third-Party Defendant, RCR PLUMBING AND MECHANICAL, INC.'S Designation of Expert Witness e-served on March 4, 2016 indicating Jerry Lawrence as the expert and includes all expert requirements. Finally, please find attached hereto Exhibit "E" the E-Service details of filing report noting that the law firm of SHINNICK & RYAN NV P.C. did not open the document. Again, it is unknown why the Plaintiffs did not open the documents relative to this case.

Based on the evidence we have provided the Court, their statement in their pleading is untrue and their warning that they will seek to exclude the subcontractor's expert reports and expert witnesses cannot include RCR.

DATED this 29<sup>th</sup> day of March 2016.

**HANSEN RASMUSSEN, LLC**

*/s/ R. SCOTT RASMUSSEN*

---

R. SCOTT RASMUSSEN, ESQ.  
 Nevada Bar No. 6100  
*Attorney for Third-Party Defendant  
 RCR Plumbing and Mechanical, Inc.*

# EXHIBIT A

# EXHIBIT A

ELECTRONICALLY SERVED  
03/04/2016 11:51:08 AM**NOTC**

R. SCOTT RASMUSSEN, ESQ.

Nevada Bar No. 6100

HANSEN RASMUSSEN, LLC

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scottr@hrnylaw.com*Attorney for Third-Party Defendant,**RCR PLUMBING AND MECHANICAL, INC.*

## DISTRICT COURT

## CLARK COUNTY NEVADA

HENRY BILLS, individually; THERESE  
(TINA) BOLTON, individually; KELLEN and  
PEARLA BRESCIA, individually; ANNETTE  
BRYANT, individually; CHIN CHAPPELLE,  
individually; JUDITH GORDON, individually;  
RUBINA PERSAUD, individually; ROLANDO  
C. and NATIVIDAD SILVERIO, individually;  
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same on behalf of themselves and on behalf of  
others similarly situated, and ROES 1-600,  
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INSULATION; K&K DOOR & TRIM, LLC;  
REYBURN LAWN & LANDSCAPE; RCR  
PLUMBING AND MECHANICAL, INC.; S&L  
ROOFING, INC.; SPEC CONSTRUCTION;  
DECK SYSTEMS ARIZONA CORP.;  
MILGARD MANUFACTURING  
INCORPORATED; TITAN STAIRS & TRIM,  
INC.; GYPSUM CONSTRUCTION, INC.;  
MERILLAT CORPORATION; and DOES 1  
through 500, inclusive,

Defendants.

**CASE NO.: A-13-681805-D****DEPT NO.: XVI***[ELECTRONIC FILING CASE]***THIRD-PARTY DEFENDANT, RCR  
PLUMBING AND MECHANICAL, INC.'S  
FIRST NOTICE OF COMPLIANCE**

LAW OFFICES  
HANSEN RASMUSSEN, LLC  
1835 Village Center Circle  
Las Vegas, Nevada 89134  
Telephone: (702) 385-5533  
Facsimile: (702) 382-8891

1 PLASTER DEVELOPMENT COMPANY, )  
INC., a Nevada corporation, )

2 Third-Party Plaintiff, )

3 vs. )

4 AMEN MASONRY; TOTAL CONCRETE, )  
LLC; DAVE'S DRYWALL, INC.; KB )  
5 FRAMERS, LLC; L&S AIR CONDITIONING )  
HEATING & FIREPLACES, LLC; K&K DOOR )  
6 & TRIM, LLC; REYBURN LAWN & )  
LANDSCAPE DESIGNERS dba REYBURN )  
7 LAWN & LANDSCAPE;; RCR PLUMBING )  
AND MECHANICAL, INC.; S&L ROOFING, )  
8 INC.; SPEC CONSTRUCTION; DECK )  
SYSTEMS ARIZONA CORP.; MILGARD )  
9 MANUFACTURING INCORPORATED; )  
GYPSUM CONSTRUCTION, INC.; and MOE )  
10 CORPORATIONS 1 – 50; )

11 Third-Party Defendants. )

12 **THIRD-PARTY DEFENDANT, RCR PLUMBING AND MECHANICAL INC.'S**  
**FIRST NOTICE OF COMPLIANCE**

13 **TO ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:**

14 PLEASE TAKE NOTICE that Third-Party Defendant RCR PLUMBING AND  
15 MECHANICAL, INC. has placed on deposit at Esquire Solutions, located at 2300 West Sahara  
16 Avenue, Suite 770, Las Vegas Nevada, the following documents:

| BATES NO.                | DOCUMENT DESCRIPTION                                                                                                                  |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| RCR000001-<br>RCR000477  | Expert Job File Documents and Photographs of Jerry Lawrence (Building Construction Consulting)                                        |
| RCR000478 –<br>RCR000487 | RCR Plumbing and Mechanical, Inc.'s Preliminary Assessment Report prepared by Jerry Lawrence (Building Construction Consulting) dated |

22 DATED this 4<sup>th</sup> day of March, 2016.

23 **HANSEN RASMUSSEN, LLC**

24 */s/ R. SCOTT RASMUSSEN, ESQ.*

25 **R. SCOTT RASMUSSEN, ESQ.**

26 Nevada Bar No. 6100

1835 Village Center Circle

Las Vegas, Nevada 89134

Attorney for Third-Party Defendant,

RCR PLUMBING AND MECHANICAL, INC.

# EXHIBIT B

# EXHIBIT B

## E-Service Details of filing titled:

**THIRD-PARTY DEFENDANT RCR PLUMBING AND MECHANICAL, INC.'S FIRST NOTICE OF COMPLIANCE**  
**for Case Number A-13-681805-D - Henry Bills, Plaintiff(s) vs. Plaster Development Company Inc, Defendant(s)**

| Firm Name                               | User Name              | User Email                          | Served | Date/Time Opened      |                           |
|-----------------------------------------|------------------------|-------------------------------------|--------|-----------------------|---------------------------|
| Chiu & Ferris                           | Denisse Girard-Rubio   | denisse.girardrubio@aig.com         | Yes    | 2016-03-04 16:20:01.0 | <a href="#">[details]</a> |
| Chiu & Ferris                           | Jalene Anderson        | Jalene.anderson@aig.com             | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Chiu & Ferris                           | Patti Miller           | Patti.Miller1@aig.com               | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Chiu & Ferris                           | Sarah Hartig           | sarah.hartig@aig.com                | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Esquire Solutions                       | Depository             | efile@esquiresolutions.com          | Yes    | 2016-03-04 12:07:35.0 | <a href="#">[details]</a> |
| Esquire Solutions                       | Scheduling             | efile1@esquiresolutions.com         | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Fredrickson, Mazeika & Grant            | Terri Scott            | tscott@fmlegal.com                  | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| HANSEN RASMUSSEN                        | R. Scott Rasmussen     | Efile1@hrnvlaw.com                  | Yes    | 2016-03-04 12:28:24.0 | <a href="#">[details]</a> |
| Hansen Rasmussen                        | Tiffany White          | tiffanyw@hrnvlaw.com                | Yes    | 2016-03-04 11:52:55.0 | <a href="#">[details]</a> |
| Law Offices of Floyd Hale               | Debbie Holloman        | dholloman@jamsadr.com               | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Law Offices of Floyd Hale               | Floyd Hale             | fhale@floyd hale.com                | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Litigation Services and Technologies    | Ben Ross               | Ben@litigation-services.net         | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Parker Nelson & Associates, Chtd.       | Shana Weir             | sweir@pnalaw.net                    | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Parker, Nelson & Associates, Chtd.      | Heidi Wurm             | Hwurm@pnalaw.net                    | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Pengilly Law Firm                       | Olivia Schulze         | oschulze@pengillylawfirm.com        | Yes    | 2016-03-04 14:54:23.0 | <a href="#">[details]</a> |
| SHINNICK & RYAN NV P.C.                 | Anne Thompson          | athompson@ssllplaw.com              | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| SHINNICK & RYAN NV P.C.                 | Ariana Gutierrez       | agutierrez@ssllplaw.com             | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| SHINNICK & RYAN NV P.C.                 | Ben Signoretti         | bsignoretti@ssllplaw.com            | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| SHINNICK & RYAN NV P.C.                 | Brad Rosenberg         | brosenberg@ssllplaw.com             | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| SHINNICK & RYAN NV P.C.                 | Jessica White          | jwhite@ssllplaw.com                 | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| SHINNICK & RYAN NV P.C.                 | Melissa Bybee          | mbybee@ssllplaw.com                 | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| SHINNICK & RYAN NV P.C.                 | efile                  | srrefile@yahoo.com                  | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Wilson Elser Moskowitz Edelman & Dicker | Christine D. Burkhardt | Christine.Burkhardt@wilsonelser.com | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |
| Wilson Elser Moskowitz Edelman & Dicker | E-File Desk            | EfileLasVegas@wilsonelser.com       | Yes    | 2016-03-04 13:41:55.0 | <a href="#">[details]</a> |
| Wilson Elser Moskowitz Edelman & Dicker | Pam Lamper             | Pamela.Lamper@wilsonelser.com       | Yes    | [ Not Opened ]        | <a href="#">[details]</a> |

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# EXHIBIT C

# EXHIBIT C

***BCC***

*Building Construction Consulting*

*Jerry Lawrence*

**PRELIMINARY ASSESSMENT REPORT**

***RCR PLUMBING & MECHANICAL***

***adv***

***BILLS***

***(Stone Mountain)***

**March 3, 2016**

**Prepared for:**

**Hansen Rasmussen  
1835 Village Center Circle  
Las Vegas, NV 89134**

***R. Scott Rasmussen, Esq.***

## EXECUTIVE SUMMARY

Hansen Rasmussen, on behalf of RCR Plumbing & Mechanical, Inc. (RCR), has retained Building Construction Consulting (BCC) to perform a limited investigation of plumbing construction at residences located at the Stone Mountain residential subdivision in Las Vegas, Nevada. The purpose of the investigation was to analyze alleged component and/or installation deficiencies associated with the plumbing systems and issue a report addressing those allegations.

During February 2016, BCC inspected building components of residences scheduled by the Plaintiff. The houses are detached single family residential dwelling units. Construction is concrete slab on grade, light frame wood. Building exterior wall surfaces are stucco finished and interior wall surfaces finished with painted sheetrock. Roofing is principally sloped tile. Each residence includes an attached motor vehicle garage.

A summary of preliminary observations and findings is described in the balance of this report. The report is organized by categorizing issues as alleged by the Plaintiff in the All American Consulting, Inc. *Reports*. Some components may not be definitively evaluated on the basis of the information to date and therefore the recommendations may be for further review/analysis of additional documentation.

The purpose of this report is to respond to certain alleged plumbing deficiencies, and to specifically identify any anomalous conditions, which would be contributing factors relative to those allegations. Assessments contained in this report are based on inspection of associated building components at Plaintiff scheduled residences and review of documents, including but not limited to the All American Consulting, Inc. *Defect List by Defect*, dated January 18, 2016; *Defect List by Property*, dated August 26, 2014. Review of additional documentation may alter opinions or conclusions contained in this assessment report.

Reasonable efforts have been made to assure that this report is accurate. However, there is no assumption of any liability of damage, which might result from it or for any conditions, which the report might fail to disclose. The information contained in this report is limited to conditions noted during inspection. No warranties are expressed or implied regarding the existence of other, unknown conditions not specifically addressed.

## ASSESSMENT

### Section 1.9.6 - Plumbing Penetrations - Flashing Sleeve Not Folded Properly Into Pipe

The Plaintiff's assert lead shielding utilized as a cover and retainer for the flashing at the ABS plumbing vents was not adequately extended into the pipe opening at the following listed addresses:

8063 Villa Cano St

7660 Villa De La Paz Ave

7671 Villa De La Paz Ave

7675 Villa De La Paz Ave

7710 Villa De La Paz Ave

7714 Villa De La Paz Ave

7715 Villa De La Paz Ave

The Plaintiffs have failed to substantiate a failure of the ABS vent piping to perform as intended. RCR did not contract to install the metal jack flashings at the ABS plumbing vents. The scope of work completed by RCR did not modify or compromise the metal jacks, installed by others.

Repair recommendation: Not attributable to the scope of work completed by RCR.

### Section 1.11.1 - B-Vents - Storm Collar Missing

The Plaintiff's assert a metal or similar rainwater water deflector was not utilized at metal B-Vents at the following listed addresses:

7535 Villa Andrade

8063 Villa Cano St

7660 Villa De La Paz Ave

7671 Villa De La Paz Ave

7675 Villa De La Paz Ave

7714 Villa De La Paz Ave

7715 Villa De La Paz Ave

The Plaintiffs have failed to substantiate a failure of the B-Vent vent piping to perform as intended. RCR did not contract to install the roofing system. The scope of work completed by RCR did not modify or compromise the roofing system, installed by others.

Page 2 of 8

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 1.11.4 - B-Vents - Stains in attic below penetration

The Plaintiff's assert "stains" were observed in wood-framed attics or on gypsum board associated with the ceiling framing, at the following listed addresses:

7535 Villa Andrade

7660 Villa De La Paz Ave

7671 Villa De La Paz Ave

7671 Villa De La Paz Ave

7710 Villa De La Paz Ave

7714 Villa De La Paz Ave

7715 Villa De La Paz Ave

The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged 'satins'. Accumulation of condensation on vent piping is anticipated and does not constitute a deficiency.

Repair recommendation: Not observed as a construction deficiency; not attributable to the scope of work completed by RCR.

Section 11.0.4 - Wallboard - Stains from plumbing leaks

The Plaintiff's assert "stains" were observed on gypsum board, at the following listed addresses:

7710 Villa De La Paz Ave

7714 Villa De La Paz Ave

7715 Villa De La Paz Ave

The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged 'satins'. Evidence of 'active/ongoing' plumbing piping water leaks was not observed.

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 11.0.8 - Wallboard - Stains adjacent to shower enclosures

The Plaintiff's assert "stains" were observed on gypsum board, adjacent to the shower enclosures, at the following listed addresses:

7675 Villa De La Paz Ave

7710 Villa De La Paz Ave

7714 Villa De La Paz Ave

Page 3 of 8

The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged 'satins'.

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 11.1.4 - Baseboard/Trim - Stains adjacent to shower enclosures

The Plaintiff's assert "stains" were observed on gypsum board, adjacent to the shower enclosures, at the following listed addresses:

7535 Villa Andrade

7675 Villa De La Paz Ave

7710 Villa De La Paz Ave

7714 Villa De La Paz Ave

The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged 'satins'.

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 11.1.6 - Baseboard/Trim - Stains from plumbing leak

The Plaintiff's assert "stains" were observed on MDF baseboards, adjacent to the shower enclosures, at the following listed address.

7710 Villa De La Paz Ave

The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged 'satins'.

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 11.2.4 - Carpet - Stains at tack strips adjacent to shower enclosures

The Plaintiff's assert "stains" were observed on carpet tack strips, adjacent to the shower enclosures, at the following listed addresses:

7660 Villa De La Paz Ave

7671 Villa De La Paz Ave

The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged 'satins' on tack strips. Where carpeting is installed against/adjacent to shower receptors, it is anticipated shower water will migrate through the carpeting and onto the tack strip. Water stains on tack strips at this location do not substantiate the claim of a construction deficiency by their mere existence.

Repair recommendation: Not attributable to the scope of work completed by RCR.

Page 4 of 8

Section 11.2.7 - Carpet - Stains adjacent to plumbing leaks

The Plaintiff's assert "stains" were observed attributable to 'plumbing leaks', at the following listed address.

7710 Villa De La Paz Ave

The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged 'satins'.

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 11.3.2 - Vinyl flooring lifting at edges

The Plaintiff's assert vinyl floor covering adhesion has failed to maintain original integrity, at the following listed address.

7671 Villa De La Paz Ave

The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged vinyl floor distress.

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 15.05 - Tile - Rigid grout at tub to tile juncture

The Plaintiff's assert grout was installed at the ceramic tile-to-bathtub interface, at the following addresses:

7535 Villa Andrade

7660 Villa De La Paz Ave

7671 Villa De La Paz Ave

RCR did not contract to install ceramic tile. The scope of work completed by RCR did not alter or compromise the grout installed at bathtubs. The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged tile grout issue.

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 15.0.6 - Tile - Rigid grout at shower pan to tile junctures

The Plaintiff's assert grout was installed at the ceramic tile-to-shower pan interface, at the following addresses:

7671 Villa De La Paz Ave

7714 Villa De La Paz Ave

Page 5 of 8

RCR did not contract to install ceramic tile. The scope of work completed by RCR did not alter or compromise the grout installed at bathtubs. The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged tile grout issue.

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 15.3.2 - Tub/Shower enclosure leaks

The Plaintiff's asserts 'test water' migrates between the tub//shower pan and the glass enclosure interface, at the following addresses:

7535 Villa Andrade

8063 Villa Cano St

7660 Villa De La Paz Ave

7671 Villa De La Paz Ave

7675 Villa De La Paz Ave

7710 Villa De La Paz Ave

7714 Villa De La Paz Ave

RCR did not contract to install the glass shower enclosures. The scope of work completed by RCR did not alter or compromise the grout installed enclosures. The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged 'test water' egress.

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 15.3.4 - Tub/Shower - Stains at 2-piece juncture

The Plaintiff's assert "stains" were observed at shower surround-to-glass enclosure interfacing, at the following listed addresses:

7535 Villa Andrade

7675 Villa De La Paz Ave

RCR did not contract to install sealant at the glass enclosure frames. The scope of work completed by RCR did not alter or compromise the sealant, applied by others, at the interface of the enclosure frame and the composite shower surround. The Plaintiffs have failed to substantiate a corollary between the scope of work completed by RCR and the alleged 'stains'.



Page 6 of 8

Repair recommendation: Not attributable to the scope of work completed by RCR.

Section 19.1.1 - Tub/Shower fixtures are unsealed

The Plaintiff's assert the caulking at the escutcheon and tub spout-to-surround surface interface is breached at the following addresses:

7675 Villa De La Paz Ave

7715 Villa De La Paz Ave

Plaintiff conducted 'water testing' is not recognized by the jurisdiction, the UPC or the plumbing/building industry. "Damage" to the structure was neither observed nor substantiated by the Plaintiff's.

Repair recommendation: Where originally installed, unmodified/unaltered tub valves or spouts have failed to maintain intended/designed integrity, attributable to the plumbing contractor's scope of work, inject structural foam at/around component.

Estimated cost: .5 MH @ \$65.00 per hr; material  $\leq$  \$9.00 = \$41.50 each

Section 19.1.2 - Tub/Shower fixtures are loose

The Plaintiff's assert valves and spouts at the tubs and showers are "loose" at the following addresses:

7535 Villa Andrade

8063 Villa Cano St

7675 Villa De La Paz Ave

7710 Villa De La Paz Ave

The term 'loose' is subjective, with no recognized protocol to determine the alleged condition. Plaintiff conducted 'water testing' is not recognized by the jurisdiction, the UPC or the plumbing/building industry. "Damage" to the structure was neither observed nor substantiated by the Plaintiff's.

Repair recommendation: Not substantiated as a construction defect See section 19.2.1.

Section 19.2.1 - Toilet flange not secure

The Plaintiff's assert water closets are loose, by the assertion the closet flange is not 'secure', at the following addresses:

8063 Villa Cano St

7660 Villa De La Paz Ave

Page 7 of 8

7671 Villa De La Paz Ave

Closet flange attachment failure is not substantiated by the Plaintiff. The Plaintiff fails to correlate the alleged water closet flange condition to original installation. Post original-construction water closet maladies/events, precipitated by the building's occupants, typically require removal and reinstallation of the fixture.

Repair recommendation: Where originally supplied and installed water closets fail to maintain intended integrity, attributable to the unmodified/unaltered installation of the device by the plumbing contractor, reinstall the water closet, including re-securing the closet flange.

Estimated cost: 1.0 MH @ \$100.00 per hr; material  $\leq$  \$6.00 = \$106.00 per location

Section 19.3.7 - *Water heater - missing watertight pan; stains on adjacent finishes*

The Plaintiff's assert stains adjacent to the water heaters are attributable to the absence of drip pans, at the following locations.

8063 Villa Cano St

7671 Villa De La Paz Ave

7675 Villa De La Paz Ave

7714 Villa De La Paz Ave

Drip pans were not required construction at the time of original construction. The Plaintiff fails to establish a corollary between the alleged "stains" and a recognized construction defect. Marks, scuffs, 'stains', etc. occurring near a water heater do not substantiate a construction deficiency.

Repair recommendation: None required; not substantiated a construction deficiency.

Section 19.4.1 - *Angle Stop; corroded at kitchen*

The Plaintiffs assert angle stops are "corroded at the following addresses:

8063 Villa Cano St

7671 Villa De La Paz Ave

7710 Villa De La Paz Ave

The Plaintiff fails to establish, by recognized analytical analysis, the existence of corrosion. The Plaintiff cites the Uniform Plumbing Code regarding the assertion of replacement of valves. The UPC does not address the replacement of valves based on an assertion with no recognized testing analysis/protocol substantiating the valves are corroding.

Page 8 Of 8

Angle stop valves installed by the plumbing contractor comport with local and uniform building/plumbing code requirements. The plaintiff fails to identify what aspects/components of the valves are contributing to alleged distress.

Repair recommendation: None required; not substantiated a construction deficiency.

Section 19.4.2 - Angle Stop: corroded at bathrooms

The Plaintiffs assert angle stops are "corroded at the following addresses:

7535 Villa Andrade

7660 Villa De La Paz Ave

The Plaintiff fails to establish, by recognized analytical analysis, the existence of corrosion. The Plaintiff cites the Uniform Plumbing Code regarding the assertion of replacement of valves. The UPC does not address the replacement of valves based on an assertion with no recognized testing analysis/protocol substantiating the valves are corroding.

Angle stop valves installed by the plumbing contractor comport with local and uniform building/plumbing code requirements. The plaintiff fails to identify what aspects/components of the valves are contributing to alleged distress.

Repair recommendation: None required; not substantiated a construction deficiency.

# EXHIBIT D

# EXHIBIT D

ELECTRONICALLY SERVED  
03/04/2016 11:55:02 AM

DOEW

R. SCOTT RASMUSSEN, ESQ.

Nevada Bar No. 6100

HANSEN RASMUSSEN, LLC

1835 Village Center Circle

Las Vegas, Nevada 89134

Telephone: (702) 385-5533

Facsimile: (702) 382-8891

[scottr@hrnvlaw.com](mailto:scottr@hrnvlaw.com)*Attorney for Third-Party Defendant,**RCR PLUMBING AND MECHANICAL, INC.*

## DISTRICT COURT

## CLARK COUNTY NEVADA

HENRY BILLS, individually; THERESE  
(TINA) BOLTON, individually; KELLEN and  
PEARLA BRESCIA, individually; ANNETTE  
BRYANT, individually; CHIN CHAPPELLE,  
individually; JUDITH GORDON, individually;  
RUBINA PERSAUD, individually; ROLANDO  
C. and NATIVIDAD SILVERIO, individually;  
JAMES H. GAMBLE, individually; and the  
same on behalf of themselves and on behalf of  
others similarly situated, and ROES 1-600,  
inclusive,

Plaintiffs,

vs.

PLASTER DEVELOPMENT COMPANY,  
INC., a Nevada corporation; AMEN  
MASONRY; DESERT SHORE TILE INC.,  
TOTAL CONCRETE, LLC; DAVE'S  
DRYWALL, INC.; DUPONT RESIDENTIAL  
FLOORING SYSTEMS; KB FRAMERS, LLC;  
L&S AIR CONDITIONING HEATING &  
FIREPLACES, LLC; SACRAMENTO  
INSULATION CONTRACTORS dba GALE  
BUILDING PRODUCTS dba GALE  
INSULATION; K&K DOOR & TRIM, LLC;  
REYBURN LAWN & LANDSCAPE; RCR  
PLUMBING AND MECHANICAL, INC.; S&L  
ROOFING, INC.; SPEC CONSTRUCTION;  
DECK SYSTEMS ARIZONA CORP.;  
MILGARD MANUFACTURING  
INCORPORATED; TITAN STAIRS & TRIM,  
INC.; GYPSUM CONSTRUCTION, INC.;  
MERILLAT CORPORATION; and DOES 1  
through 500, inclusive,

Defendants.

CASE NO.: A-13-681805-D

DEPT NO.: XVI

[ELECTRONIC FILING CASE]

THIRD-PARTY DEFENDANT, RCR  
PLUMBING AND MECHANICAL, INC.'S  
DESIGNATION OF EXPERT WITNESS

LAW OFFICES  
HANSEN RASMUSSEN, LLC  
1835 Village Center Circle  
Las Vegas, Nevada 89134  
Telephone: (702) 385-5533  
Facsimile: (702) 382-8891

1 PLASTER DEVELOPMENT COMPANY, )  
INC., a Nevada corporation, )

2 Third-Party Plaintiff, )

3 vs. )

4 AMEN MASONRY; TOTAL CONCRETE, )  
LLC; DAVE'S DRYWALL, INC.; KB )  
FRAMERS, LLC; L&S AIR CONDITIONING )  
5 HEATING & FIREPLACES, LLC; K&K DOOR )  
& TRIM, LLC; REYBURN LAWN & )  
6 LANDSCAPE DESIGNERS dba REYBURN )  
LAWN & LANDSCAPE;; RCR PLUMBING )  
7 AND MECHANICAL, INC.; S&L ROOFING, )  
INC.; SPEC CONSTRUCTION; DECK )  
8 SYSTEMS ARIZONA CORP.; MILGARD )  
MANUFACTURING INCORPORATED; )  
9 GYPSUM CONSTRUCTION, INC.; and MOE )  
CORPORATIONS 1 - 50; )

10 Third-Party Defendants. )

11 THIRD-PARTY DEFENDANT RCR PLUMBING AND MECHANICAL, INC.'S  
12 DESIGNATION OF EXPERT WITNESS

13 COMES NOW, Third-Party Defendant, RCR PLUMBING AND MECHANICAL, INC.  
14 (hereinafter "RCR"), by and through its counsel, R. SCOTT RASMUSSEN, ESQ. of the law firm of  
15 HANSEN RASMUSSEN, LLC, pursuant to the Case Management Order and N.R.C.P. 26(b)(5), and  
16 hereby submits and designates the following expert witness in the above-entitled matter:

17 Each expert designated in this matter is expected to render opinions regarding, but not limited  
18 to, the following: (a) His review of produced materials and discovery in the case, including but not  
19 limited to, the opinions, reports and work product of other experts, parties' and witnesses' testimony  
20 and opinions; (b) testing and site inspections of the subject project; (c) consultation with other experts;  
21 (d) analysis of the nature and extent of alleged defects; (e) methods and costs of repair for such defects;  
22 (f) a review of contract documents, invoices, plans and project specifications; (g) a review of building  
23 codes and local ordinances; (h) the standard of care and/or custom and practice for some or all of the  
24 participants in the projects; (i) the custom and practice and standard of care relating to the relationship  
25 duties, responsibilities, obligations and interrelationship between the owner, developer, general  
26  
27  
28

LAW OFFICES  
HANSEN RASMUSSEN, LLC  
1405 VILLAGE CENTER DRIVE  
LAS VEGAS, NEVADA 89102  
Telephone: (702) 345-1553  
Facsimile: (702) 342-8801

contractor, inspectors, contractors and subcontractors, purchasers, owners and owners' association for the subject project.

1. Jerry Lawrence  
BUILDING CONSTRUCTION CONSULTING  
733 Zion Falls Street  
Las Vegas, NV 89131  
(702) 459-0610

Mr. Lawrence is expected to testify regarding plumbing issues surrounding this litigation. Mr. Lawrence is expected to render opinions as to all issues pertaining to the standard of care in residential construction, as well as any applicable codes, regulations, plans and specifications, the quality of the work performed, the nature and extent of design, construction and/or installation of the work performed at the subject property, the nature and extent of any deficiencies, causation, the defect repair methodology, and repair recommendations. A copy of Mr. Lawrence's curriculum vitae and fee schedule is attached hereto as Exhibit "A".

RCR reserves the right to add to, amend, or delete any of the above.

RCR reserves the right to call any witnesses identified and elected under the provisions of N.R.C.P. 26(b)(4-5).

In the event that any additional analysis is obtained by any party prior to trial, RCR reserves the right to call as an expert witness the professional performing the analysis, whose name and address will by that time be provided to other parties and whose testimony will be directed toward the nature and extent of the alleged damages of the Subject Property.

RCR reserves the right to add additional experts as such need arises during the course of discovery and investigation in preparation of this case.

RCR does not list herein, but nevertheless reserves the right to call as witnesses to testify on either lay or expert manners, or both, those individuals who are employees of any other parties to this law suit, and who may be called to testify at trial, either live or through competent former testimony.



RCR further reserves the right to call impeachment or rebuttal witnesses admitted here from.

RCR also reserves the right to call at the time of trial, if necessary, the custodian of records of the parties to this lawsuit and witnesses named by any other party to this law suit on their respective witness list.

If any of the witnesses discussed or listed herein above are not available at trial, RCR advises the parties that it will seek the introduction of competent former testimony, including depositions of such witnesses in lieu of their live testimony.

Discovery in this case has not yet been completed. RCR therefore reserves the right to file a supplemental list of witnesses as discovery is completed and witnesses identified.

DATED this 4<sup>th</sup> day of March, 2016.

HANSEN RASMUSSEN, LLC

/s/ R. SCOTT RASMUSSEN, ESQ.

R. SCOTT RASMUSSEN, ESQ.

Nevada Bar No. 6100

1835 Village Center Circle

Las Vegas, Nevada 89134

Attorney for Third-Party Defendant,

RCR PLUMBING AND MECHANICAL, INC.

LAW OFFICES  
HANSEN RASMUSSEN, LLC  
1835 Village Center Circle  
Las Vegas, Nevada 89134  
Telephone: (702) 788-8881  
Facsimile: (702) 788-8881



# EXHIBIT “A”

## CURRICULUM VITAE

**Jerry Lawrence**  
**(702) 459-0610**

7333 Zion Falls St.  
Las Vegas, NV 89131

**current position** principal - Building Construction Consulting, Las Vegas, Nevada

**former consulting groups** Thomas Anderson & Company, Sonoma, California  
Roel Consulting Group, Las Vegas, Nevada  
Jordan Engineers, Inc., Las Vegas, Nevada

**education** industrial arts major, building construction emphasis  
Mesa College; Grossmont College - San Diego, California

continuing  
education

- International Code Council; IRC Update - 2012
- International Code Council; IBC Significant Changes - 2012
- International Code Council; IBC Mixed Occupancies - 2012
- International Code Council; IRC Major Changes - 2011
- International Code Council; IBC Major Changes - 2011
- International Code Council; IBC Seminar - 2009
- International Code Council; IRC Seminar - 2009
- International Code Council; IEC Seminar - 2009
- Hanley Wood - Masters Certificate; Residential Concrete, 2007
- International Code Council - 2006
- Hanley Wood - Masters Certificate; Decorative Concrete, 2006
- International Code Council - 2003
- Master Certificate in Concrete - Aberdeen Group 2003
- National Association of Home Builders - 2003 (IRC)
- International Conference of Building Officials - 2001
- International Conference of Building Officials - 2000
- Master Certificate in Masonry - Aberdeen Group 1997

**registrations & licenses:** International Code Council - Building Inspector - 0816930-01  
General Building Contractor, State of Utah - B 440830  
General Building Contractor, State of Washington - BS073 PB  
Electrical Contractor, State of Utah - 00440830  
(contractor's licenses are currently inactive)

**professional affiliations:** International Code Council (I.C.C.)  
American Concrete Institute (A.C.I.)

**professional experience** Building Construction Consulting, LLC  
**1997 - current** building construction project management and supervision;  
 construction defect investigation and analysis; expert  
 witness in mediation, arbitration, deposition and trial testimony,  
 including the following law firms:

page - 2

The Marks Law Group, LLP

Luh & Associates

Fredrickson, Mazeika & Grant

Cisneros & Marias

Hansen <> Rasmussen

Chiu & Ferris

Bremer, Whyte, Brown & O'Meara

McCormick, Barstow, Sheppard, Wayte

Olson, Cannon, Gormley, Angulo & Stoberski

Thorndal, Armstrong, Delk, Balkenbush & Elsinger

Bauman Loewe Witt & Maxwell

Wolfe & Wyman

Lewis Brisbois Bisgaard & Smith

Wilson Elser Moskowitz Edelman & Dicker

Brown, Bonn & Friedman

Hurtik Law, LTD

Law Office of David M. Jones

Kravitz Schnitzer Johnson

Springel & Fink

1997-1999: Jordan Engineers, Inc.  
building construction defect analysis

1997: Roel Consulting Group, Inc.  
general contractor consultant & project manager

1996-1997: Thomas Anderson & Company  
senior consultant - building construction defect analysis

page - 3

|           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1994-1995 | <u>City of Las Vegas Building Department</u><br>plans and permit technician - initial building plan review;<br>addressed UBC (building code) issues for the City of Las Vegas;<br>issued building permits                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 1992-1994 | <u>Advanced Building Systems</u><br>principal - general contractor; all aspects of residential<br>contracting including plans and specifications development,<br>State of Washington                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 1990      | <u>Mitsui Bussan, International Contracting</u><br>construction consultant for Japan's largest residential contractor,<br>Tokyo, Japan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 1984-1992 | <u>Advanced Building Systems</u><br>principal - general contractor; all aspects of residential and small<br>commercial building construction including plans and<br>specifications development; State of Utah                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 1984-1992 | <u>Southern Utah University</u><br>Instructor - building technology; developed and implemented SUU<br>construction technology curriculum encompassing all aspects of<br>residential construction including complete construction of<br>numerous residential homes; construction text review consultant<br>for Del Mar Publishers, New York; authored Carl Perkins federal<br>grant proposals for area building construction training funding;<br>conducted annual training seminars for area building inspectors<br>and contractors for I.C.B.O. certification including proctoring all<br>testing procedures; collaborated with Bonneville Power<br>Association and Oregon State University on design and<br>construction of 'Super Good Cents' energy efficient area housing<br>projects; designed and constructed Southern Utah University<br>mountain retreat project; sponsored numerous workshops and<br>seminars addressing various building materials and construction<br>methodologies including concrete foundations, roofing, framing,<br>interior/exterior finishes, plumbing, heating and ventilating<br>systems. |
| 1980-1984 | <u>B.C.C., Inc.</u><br>principal - equipment sales                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 1978-1980 | <u>ABCO Construction Company</u><br>project superintendent - supervised several commercial<br>construction projects including site/soil preparations; structural<br>concrete; structural steel; plumbing, HVAC and interior build-out,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

Page - 4

**1974-1975**

Garfield County School District

Industrial arts teacher - Escalante High School; instructed students in various aspects of residential construction including blueprint design and interpretation, cabinetry and finishes.

**1973-1978**

Lawrence Construction

principal partner - general contractor; all aspects of residential and commercial construction in Utah.

***BUILDING CONSTRUCTION CONSULTING, LLC***  
**PROFESSIONAL FEE SCHEDULE**

**General Contractor Expert Witness:** 170.00 per hr.

Includes construction defect expert analysis,  
reports and mediation.

**Deposition and Trial Testimony:** 310.00 per hr.

**Associate Consultant:** 110.00 per hr.

Includes site observation and documentation

**Technical Support:** 75.00 per hr.

Includes research and documentation.

**Clerical Support Services:** 55.00 per hr.

Includes all document production.

**Associated costs:** direct costs

Includes document delivery

**Non-billable Services:**

Local travel; incidental phone conversations.

Jerry Lawrence  
7333 Zion Falls St.  
Las Vegas, Nevada 89131  
(702) 459-0610  
fax (702) 459-0038

*Jerry Lawrence*

DEPOSITION and TRIAL TESTIMONY (2005 - Current)

| Date      | File Name               | Client Name               |
|-----------|-------------------------|---------------------------|
| 4/26/2005 | Canyon Willow Tropicana | Interstate Plumbing & A/C |
| 5/16/2005 | Horizon Ridge           | Cedar Roofing             |
| 5/17/2005 | " "                     | Interstate Plumbing & A/C |
| 7/21/2005 | Canyon Willow Tropicana | Interstate Plumbing & A/C |
| 8/11/2005 | Durango Canyon          | First Premier Drywall     |
| 8/12/2005 | " "                     | " " "                     |
| 2/15/2006 | Fuller                  | Executive Plumbing        |
| 5/31/2006 | MacDonald Ranch         | Red Rose Roofing          |
| 6/23/2006 | One Turnberry           | Eberhard Southwest        |
| 7/12/2006 | Altair                  | Interstate Plumbing & A/C |
| 7/31/2006 | Alejandro               | SC Design                 |
| 8/1/2006  | Vistana                 | RCR Companies (plumbing)  |
| 8/1/2006  | Vistana                 | All Drywall               |
| 8/28/2006 | Spanish Hills           | Whitaker Enterprise       |
| 9/6/2006  | Galleria Villas         | C&F Dist.                 |
| 9/7/2006  | Galleria Villas         | Concrete Specialties      |
| 10/6/2006 | Galleria Villas         | Interstate Plumbing & A/C |
| 11/15/06  | Hake                    | Artistic Tile             |
| 1/10/07   | Liggit                  | Willis Roofing            |
| 3/14/07   | Chambers                | Sharp, Interstate, Pratte |
| 3/15/07   | Chambers                | Pratte, Hirschi           |
| 4/5/07    | Liggit                  | Willis Roofing            |
| 4/25/07   | Villagio                | Hall paint                |
| 7/24/07   | Silver Pines            | Interstate Plumbing & A/C |
| 7/24/07   | Silver Pines            | Red Rose Roofing          |
| 7/26/07   | Camissa                 | Classic Door & Trim       |
| 8/16/07   | Mission Ridge           | Eberhard Roofing          |
| 2/5/08    | Peach                   | M&M Doors                 |
| 2/5/08    | "                       | Willis Roofing            |
| 2/13/08   | Sun City Summerlin      | Interstate Plumbing       |
| 2/13/08   | Canyon Villas           | Interstate Plumbing       |
| 5/7/08    | Sundance/Sacor          | Sacor Development         |
| 6/12/08   | Remmer/Fink             | Fink                      |
| 6/26/08   | Pippin                  | R.W. Stucco               |

Page 2 of 7

|          |                       |                                                     |
|----------|-----------------------|-----------------------------------------------------|
| 6/9/09   | Mathew<br>"<br>"      | Prestige Roofing<br>Ferguson Supply<br>Quality Wood |
| 6/19/09  | Ellis Construction    | Appel                                               |
| 7/14/09  | First Light           | RCR Companies (plumbing)                            |
| 7/20/09  | Lakewood Cove Apts.   | Durango Const.                                      |
| 7/30/09  | McCormack (Aspen)     | Gale Building Products                              |
| 8/24/09  | Silverado Creek       | Atlas Lumber & Door                                 |
| 9/15/09  | Girton                | Interstate Plumbing                                 |
| 10/3/09  | Vegas Star<br>"       | Insul-Crete<br>Interstate Plumbing                  |
| 11/10/09 | Pahor                 | Davey Roofing                                       |
| 11/11/09 | Westpark              | Whalen Roofing                                      |
| 12/15/09 | Bowers                | LV Cultured Marble                                  |
| 3/12/10  | Balle                 | Interstate Plumbing                                 |
| 4/14/10  | Albanese              | Newell Roofing                                      |
| 6/15/10  | Jasmine Ranch<br>" "  | NV Deck<br>Rystin Const.                            |
| 7/21/10  | Haven Animal Hospital | Nora Flooring Contractor                            |
| 8/20/10  | Jasmine Ranch         | RCR Companies (plumbing)                            |
| 11/10/10 | Latigo<br>"           | Interstate Plumbing<br>Expert Air                   |
| 11/12/10 | Savalli Estates       | Harlan Lee                                          |
| 11/16/10 | Moonlight Terrace     | RCR Companies (plumbing)                            |
| 11/17/10 | Chateau Nouveau       | Gale Building Products                              |
| 12/15/10 | Grand Canyon          | RCR Companies                                       |
| 2/7/11   | Porter                | Owens; Milgard; Quality Wood                        |



Page 3 of 7

|          |                    |                         |
|----------|--------------------|-------------------------|
| 4/20/11  | Sanchez            | Costco Wholesale        |
| 5/31/11  | Allen Family Trust | Interstate Plumbing     |
| 9/8/11   | Desert Pine Villas | Interstate Plumbing     |
| 9/13/11  | Shulman            | MJH Mechanical          |
| 10/13/11 | Arndt              | Classic Plumbing        |
| 2/28/12  | Cloud              | Quality Home Inspection |
| 3/8/12   | McClintock         | Cedco                   |
| 3/20/12  | Dunn               | Palm Cyn Development    |
| 3/29/12  | Dunn               | Palm Cyn Development    |
| 9/25/12  | Loftsgaarden       | RCR Companies           |
| 10/24/12 | Townsend           | Ancheta/Pardee Homes    |
| 1/15/13  | First Light        | Concrete, Inc.          |
| 2/13/13  | Arvie              | Gale Building           |
|          | Arvie              | Deck Systems            |
|          | Arvie              | Rystin Construction     |
|          | Arvie              | Floors N More           |
|          | Arvie              | AR Ornamental           |
|          | Arvie              | Iron Specialists        |
| 3/19/13  | Evers              | Avanit Door             |
|          | Evers              | LMI                     |
| 8/27/13  | McDowell           | Krahenbuhl Plumbing     |
|          |                    | LDI Mechanical          |
| 9/11/13  | Sandoval           | Deck Systems            |
|          |                    | Sierra Air Conditioning |
| 9/16/13  | McDowell           | Deck Systems            |
| 12/3/13  | Fewsmith           | Christopher Homes       |
| 12/4/13  | Hass               | Rocky Top Drywall       |
|          |                    | Peterson Plastering     |

Page 4 of 7

|          |              |                                                                                                                                                                                                     |
|----------|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12/5/13  | Hass         | Dan Bradley Glass<br>RCR Companies                                                                                                                                                                  |
| 12/10/13 | Keller       | Willis Roofing                                                                                                                                                                                      |
| 3/5/14   | Layman       | RCR<br>Red Rock Mechanical<br>Classic Door<br>LMI<br>Fernandez<br>NV Stairs<br>Granite World<br>Floors N' More                                                                                      |
| 4/25/14  | Wyndham      | NV Gypsum                                                                                                                                                                                           |
| 5/28/14  | Solera       | Burke                                                                                                                                                                                               |
| 6/11/14  | Redden       | Elite Realty                                                                                                                                                                                        |
| 7/10/14  | Haefner      | R3M<br>Gale Building Systems<br>Deck Systems                                                                                                                                                        |
| 9/2/14   | Grand Canyon | RCR                                                                                                                                                                                                 |
| 10/22/14 | Morgan       | Milgard Manufacturing<br>Gale Building Products<br>Willis Roofing<br>Executive Plastering<br>Hirschi Masonry<br>Chief Concrete<br>Hutchins Drywall<br>Sierra Air Conditioning<br>Executive Plumbing |
| 10/27/14 | Kowalczyk    | Milgard Manufacturing<br>Gale Building Products<br>Willis Roofing<br>Hirschi Masonry<br>Chief Concrete<br>Hutchins Drywall<br>Sierra Air Conditioning<br>Executive Plumbing                         |

Page 5 of 7

|         |                         |                                                                                                                                                                                           |
|---------|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1/13/15 | Patton                  | Milgard Manufacturing<br>Gale Building Products<br>SW Stone                                                                                                                               |
| 1/20/15 | Sandstone               | CDM Plumbing<br>Deck Systems<br>L&M Welding                                                                                                                                               |
| 3/5/15  | Cottonwood              | Consolidated Roofing<br>Red Rock Construction                                                                                                                                             |
| 3/24/15 | Chapman                 | L&S Heating & Air Conditioning                                                                                                                                                            |
| 4/15/15 | Sandstone (Evidentiary) | CDM Plumbing                                                                                                                                                                              |
| 5/19/15 | Kilman                  | Rising Sun Plumbing<br>Gale Building Products<br>Paver Module                                                                                                                             |
| 6/10/15 | Mozdean                 | Chief Concrete<br>Executive Plumbing<br>Gale Building Products<br>Hirschi Masonry<br>Hutchins Drywall<br>Milgard Manufacturing<br>Sierra Air Conditioning<br>Willis Roof Consulting       |
| 6/10/15 | Drennen                 | Executive Plastering<br>Executive Plumbing<br>Gale Building Products<br>Hirschi Masonry<br>Hutchins Drywall<br>Milgard Manufacturing<br>Sierra Air Conditioning<br>Willis Roof Consulting |
| 6/15/15 | Sarla                   | Sierra Air Conditioning<br>Milgard Manufacturing<br>Sharp Plumbing                                                                                                                        |
| 6/22/15 | Jackson                 | Milgard<br>L&S Mechanical<br>RCR<br>NV Stairs<br>Cabinelec                                                                                                                                |

Page 6 of 7

|          |                        |                                                                                                                                      |
|----------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| 6/22/15  | First Light            | ROR                                                                                                                                  |
| 7/8/15   | Jackson                | Willis Roofing                                                                                                                       |
| 8/18/15  | View at Black Mountain | Rystin Construction<br>New Creations Masonry                                                                                         |
| 8/18/15  | La Posada              | Design Works Painting                                                                                                                |
| 9/15/15  | Gonzalez               | Milgard Manufacturing<br>United Plumbing<br>Sierra Air Conditioning                                                                  |
| 9/23/15  | Adolph                 | PR Construction                                                                                                                      |
| 10/14/15 | Bedrosian              | Milgard Manufacturing<br>Gale Building Products<br>Davey Roofing<br>Carpets N More<br>Granite World<br>Desert Valley Paint & Drywall |
| 11/3/15  | Hernandez              | ROR<br>Classic Door & Trim<br>L&S Air Conditioning<br>Carpets N More<br>Piece of the Rock                                            |
| 11/5/15  | Tienente               | Milgard<br>Sunrise Mechanical<br>Creative Countertops                                                                                |

Page 7 of 7

## TRIAL TESTIMONY

| Date        | Judge/Location                  | Case Name                   |
|-------------|---------------------------------|-----------------------------|
| 1999 – 2001 | Gibbons/Clark County District   | Holding v Dawson            |
| 7/11/2002   | Loehrer/Clark County District   | Olson v Aztec Plastering    |
| 8/18/2003   | Togliatti/Clark County District | Kaminski v Wadkins Concrete |
| 6/13/2006   | Lane/Nye County Dept. Five      | Morris v Somers             |
| 6/20/2006   | Loehrer/Clark County District   | Olson v Aztec Plastering    |
| 7/17/09     | Clark County District 52        | Yousefazadeh v Gilliat      |
| 2/8/10      | Togliatti/Clark County District | Apple v Ellis Construction  |
| 6/9/13      | Sturman/Clark County District   | Surasky v De Marco          |
| 2/24/14     | Adair/Clark County District     | Renaud v Duck Creek Village |

**EXHIBIT E**

**EXHIBIT E**

**E-Service Details of filing titled:**  
**THIRD-PARTY DEFENDANT RCR PLUMBING AND MECHANICAL, INC.'S DESIGNATION OF EXPERT WITNESS**  
**for Case Number A-13-681805-D - Henry Bills, Plaintiff(s)vs.Plaster Development Company Inc, Defendant(s)**

| Firm Name                               | User Name              | User Email                          | Served | Date/Time Opened      |           |
|-----------------------------------------|------------------------|-------------------------------------|--------|-----------------------|-----------|
| Chiu & Ferris                           | Denisse Girard-Rubio   | denisse.girardrubio@aig.com         | Yes    | 2016-03-04 16:20:58.0 | [details] |
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| Chiu & Ferris                           | Patti Miller           | Patti.Miller1@aig.com               | Yes    | [ Not Opened ]        | [details] |
| Chiu & Ferris                           | Sarah Hartig           | sarah.hartig@aig.com                | Yes    | [ Not Opened ]        | [details] |
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| Fredrickson, Mazeika & Grant            | Terri Scott            | tscott@fmglegal.com                 | Yes    | [ Not Opened ]        | [details] |
| HANSEN RASMUSSEN                        | R. Scott Rasmussen     | Efile1@hrnvlaw.com                  | Yes    | 2016-03-04 11:58:32.0 | [details] |
| Hansen Rasmussen                        | Tiffany White          | tiffanyw@hrnvlaw.com                | Yes    | 2016-03-04 11:55:36.0 | [details] |
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| Parker, Nelson & Associates, Chtd.      | Heidi Wurm             | Hwurm@pnalaw.net                    | Yes    | [ Not Opened ]        | [details] |
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| Wilson Elser Moskowitz Edelman & Dicker | E-File Desk            | EfilecLasVegas@wilsonelser.com      | Yes    | 2016-03-04 13:43:48.0 | [details] |
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